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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 SCOTT MUELLER,

11 Plaintiff(s),

12 v.

13 TOUCH LLC, et al.,

14 Defendant(s).
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Case No. 2:17-cv-00999-APG-NJK

ORDER

16 Plaintiff is proceeding in this case *pro se*. On January 4, 2018, the Court issued an order that
17 “Plaintiff is **CAUTIONED** that he is required to comply with all Court orders and applicable rules
18 moving forward.” Docket No. 52 at 2 (citing *King v. Atiyeh*, 814 F.2d 565, 567 (9th Cir. 1987)). On
19 January 17, 2018, the Court ordered “the parties to file a joint statement that includes a schedule for this
20 case to proceed.” Docket No. 56. The Court has now received a filing from Defendants representing
21 that Plaintiff did not participate in the preparation or filing of the joint statement, and would not return
22 counsel’s communications. Docket No. 59 at 1-2.

23 Plaintiff has a duty to prosecute his claims. Fed. R. Civ. P. 41(b). As previously cautioned,
24 Plaintiff also has a duty to comply with the Court’s orders. Docket No. 52 at 2. Plaintiff is hereby
25 **ORDERED** to contact Defendants’ attorneys, by February 20, 2018, to confer on a schedule to move
26 this case forward. A new joint statement signed by Plaintiff and defense counsel shall be filed by
27 February 27, 2018. **FAILURE TO COMPLY WITH THIS ORDER MAY RESULT IN THE**
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1 **DISMISSAL OF THIS CASE.** In the event Plaintiff fails to contact Defendants' attorneys by February
2 20, 2018, Defendants shall file a notice so indicating.

3 IT IS SO ORDERED.

4 DATED: February 12, 2018

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7 NANCY J. KOPPE
8 United States Magistrate Judge
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